

William A. Broschious, Trustee (VSB #27436)
P.O. Box 71180
Henrico, Virginia 23255
(804) 533-4041

Trustee

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:)	Chapter 7
)	
PAUL ANTHONY MIGNOTT,)	Case No. 21-32885-KRH
)	
Debtor.)	

RESPONSE TO MOTION TO VOLUNTARILY DISMISS CHAPTER 7 CASE

William A. Broschious, Trustee (the “**Trustee**”), hereby responds to the Motion to Voluntarily Dismiss Chapter 7 Case (the “**Dismissal Motion**”) [*doc. no. 18*]¹ filed by the debtor, Paul Anthony Mignott (the “**Debtor**”).

1. The Debtor filed for Chapter 7 bankruptcy relief on September 24, 2021. The Trustee was appointed as interim trustee and he continues to serve as trustee in the Debtor’s case.

2. On October 8, 2021, the Debtor filed a motion seeking an extension of the date on or before which he is required to file his bankruptcy schedules and statement of financial affairs (collectively, the “**Schedules**”).

3. The Court entered an order of October 13, 2021 [*doc. no. 16*], extending the date by which the Debtor is required to file the Schedules to October 25, 2021.

4. The next day, on October 14, 2021, the Debtor filed the Dismissal Motion. The accompanying Notice of Motion stated that any responses to the Dismissal Motion are due October 21, 2021 -- before the date by which the Debtor is required to file the Schedules.

¹ “Doc. no. __” refers to the docketed pleading, order or other item identified in docket sheets maintained by the clerk’s office in this bankruptcy case.

5. To date, the Debtor has neither filed the Schedules nor provided the Trustee with any of the information and documents (the “**Investigative Documents**”) customarily required in connection with the Trustee’s performance of his statutory duties, including the “investigat[ion] of the financial affairs of the debtor.”

6. The initial meeting of creditors in this case is scheduled for November 1, 2021. The docket sheets for the bankruptcy case indicate the filing of counsel appearance for one creditor in the case.

7. The Schedules having not been filed and the Investigative Documents not having been produced, the Trustee is not able to determine whether the Debtor’s requested dismissal of his case is in the best interests of his creditors.

8. Accordingly, the Trustee respectfully submits that the Debtor’s bankruptcy case should not be dismissed until such time as the Trustee has a reasonable opportunity to review the Schedules and the Investigative Documents and to conduct an examination of the Debtor at the initial meeting of creditors.

WILLIAM A. BROSCIOUS, TRUSTEE

By: /s/ William A. Broschious
Trustee

William A. Broschious, Trustee (VSB #27436)
P.O. Box 71180
Henrico, Virginia 23255
Tel: 804.533.4041
wbroscious@wabtrustee.com

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2021, a true and correct copy of the foregoing was served on all persons receiving electronic notice in these cases, and on each of the following by the first-class mail:

Kathryn R. Montgomery, Esquire
Shannon F. Pecoraro, Esquire
Office of the U.S. Trustee
701 East Broad Street - Suite 4304
Richmond, Virginia 23219

James E. Kane, Esquire
Kane & Papa, P.C.
P.O. Box 508
Richmond, Virginia 23218-0508

Matthew Rawls, Esquire
BWW Law Group, LLC
8100 Three Chopt Rd., Suite 240
Richmond, Virginia 23229

/s/ William A. Broschious
Trustee